

Walter O'Cheskey  
 Chapter 13 Trustee  
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IN THE UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF TEXAS  
 ABILENE DIVISION

IN RE:

ROBERT BLAIN THAYER  
 CHERYL LOUISE THAYER

CASE NO: 12-10047-RLJ-13  
 HEARING DATE: 11/28/2012  
 HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
 PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

| Trustee Clm# | Creditor Name                        | Scheduled Amount | Trustee Clm# | Creditor Name        | Scheduled Amount |
|--------------|--------------------------------------|------------------|--------------|----------------------|------------------|
| 012 0 U      | APPLIED CARD BANK                    | \$2,243.00       | 017 0 U      | CITIFINANCIAL        | \$7,183.00       |
| 018 0 U      | OCWEN LOAN SERVICING LLC             | \$24,818.00      | 020 0 U      | CREDIT COLLECTIONS I | \$523.00         |
| 029 0 U      | NATIONSTAR MORTGAGE                  | \$1.00           | 030 0 U      | SECOND ROUND LP      | \$227.00         |
| 032 0 U      | WEST CENTRAL TEXAS COLLECTION BUREAU | \$96.00          |              |                      |                  |

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

| Trustee Claim #                 | Creditor                    | Collateral / Description               | Claim Amount | Value       | %     | Term | Paid / Treated           |
|---------------------------------|-----------------------------|--|--------------|-------------|-------|------|--------------------------|
| <b><u>SECURED CREDITORS</u></b> |                             |  |              |             |       |      |                          |
| 008 0                           | FRONTIER MOTOR CO           | 2002 CHEVY TAHOE                       | \$7,071.52   | \$9,025.00  | 6.50% | 44   | \$202.10 PAID BY TRUSTEE |
| 009 0 *                         | FRONTIER MOTOR CO           | 2000 HONDA CRV                         | \$11,179.57  | \$11,439.00 | 6.50% | 44   | \$320.89 PAID BY TRUSTEE |
| 010 0                           | OCWEN LOAN SERVICING LLC    | DIRECT PMTS BEIGN 3-2012 / CITY NTL BK | \$32,203.82  | \$41,550.00 |       |      | PD DIRECT BY DEBTOR      |
| 011 0                           | EASTLAND COUNTY APPR. DIST. | 2012 PROPERTY TAXES                    | \$0.00       | \$41,550.00 |       |      | PD DIRECT BY DEBTOR      |
| 053 0 *                         | OCWEN LOAN SERVICING LLC    | ARREARS THRU 2-2012                    | \$1,383.82   | \$41,550.00 | 5.81% | 60   | \$32.27 PAID BY TRUSTEE  |

Not provided for in confirmed plan. See Trustee's Modification below.

**UNSECURED GENERAL CREDITORS**

| Trustee Clm# | Creditor Name               | Claim Amount | Trustee Clm# | Creditor Name                 | Claim Amount |
|--------------|-----------------------------|--------------|--------------|-------------------------------|--------------|
| 013 0 U      | ASSET ACCEPTANCE LLC        | \$676.35     | 014 0 U      | CAVALRY PORTFOLIO SERVICE LLC | \$8,125.48   |
|              | SERVICES/FIRST PREMIER BANK |              |              | SERVICES                      |              |
| 015 0 U      | CAPITAL ONE BANK USA        | \$2,005.67   | 016 0 U      | PRA RECEIVABLES MANAGEMENT    | \$1,038.19   |
|              | PURCHASES/CAPITAL ONE       |              |              | PURCHASES/HOME DEPOT          |              |
| 019 0 U      | MIDLAND CREDIT MANAGEMENT   | \$628.91     | 021 0 U      | PREMIER BANKCARD /CHARTER     | \$509.90     |
|              | PURCHASES                   |              |              | PURCHASES                     |              |

|           |  |          |           |  |          |
|-----------|--|----------|-----------|--|----------|
| 022 0 U   | GE CAPITAL RETAIL BANK                     | \$600.54 | 023 0 U   | PRA RECEIVABLES MANAGEMENT                 | \$276.71 |
|           | <i>PURCHASES/CHEVRON GE CAPITAL</i>        |          |           | <i>PURCHASES/JC PENNEY</i>                 |          |
| 025 0 U   | MIDLAND CREDIT MANAGEMENT                  | \$661.03 | 026 0 U   | QUANTUM3 GROUP LLC                         | \$227.34 |
|           | <i>PURCHASES/HSBC NEVADA</i>               |          |           | <i>LOAN/LACKS STORE</i>                    |          |
| 028 0 U   | MIDLAND CREDIT MANAGEMENT                  | \$784.61 | 031 0 U   | TARGET NATIONAL BANK                       | \$213.08 |
|           | <i>SERVICES</i>                            |          |           | <i>PURCHASES</i>                           |          |
| 038 0 U * | TARGET NATIONAL BANK                       | \$213.12 | 049 0 U * | ASSET ACCEPTANCE LLC                       | \$716.75 |
|           | <i>PURCHASES</i>                           |          |           | <i>LOAN/FCNB SPIEGEL</i>                   |          |
|           | <i>Not provided for in confirmed plan.</i> |          |           | <i>Not provided for in confirmed plan.</i> |          |
| 050 0 U * | RADIOLOGY ASSOCIATES/RMA                   | \$96.00  | 051 0 U * | CLINICAL PATHOLOGY ASSOCIATES              | \$55.00  |
|           | <i>MEDICAL SERVICES</i>                    |          |           | <i>MEDICAL SERVICES</i>                    |          |
|           | <i>Not provided for in confirmed plan.</i> |          |           | <i>Not provided for in confirmed plan.</i> |          |

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

The \$1,383.82 arrears portion of Ocwen's \$33,587.64 fully secured mortgage claim shall be paid 5.81% interest over 60 months with a monthly payment of \$32.27.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 11/28/2012 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 10/17/2012

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

AARONS SALES & LEASE 2102 N 1ST STREET ABILENE TX 79603  
APPLIED CARD BANK ATTN GENERAL INQUIRIES PO BOX 17125 WILMINGTON DE 19850  
ASSET ACCEPTANCE LLC PO BOX 2036 WARREN MI 48090  
CALVARY PORTFOLIO SERVICES 500 SUMMIT LAKE DR VALHALLA NY 10595  
CAPITAL ONE BANK USA BY AMERICAN INFOSOURCE LP PO BOX 71083 CHARLOTTE NC 28272  
CAPITAL ONE PO BOX 30285 SALT LAKE CITY UT 84130  
CAVALRY PORTFOLIO SERVICE LLC 500 SUMMIT LAKE DRIVE SUITE 400 VALHALLA NY 10595  
CITIBANK USA ATTN: CENTRALIZED BANKRUPTCY PO BOX 20363 KANSAS CITY MO 64195  
CITIFINANCIAL PO BOX 222178 CHARLOTTE NC 28222  
CLINICAL PATHOLOGY ASSOCIATES C/O WEST CENTRAL TEXAS COLLECTION BUREAU PO BOX 2586 ABILENE TX 79601  
CPU/CITI CENTRALIZED BANKRUPTCY PO BOX 20363 KANSAS CITY MO 64195  
CREDIT COLLECTIONS I 2601 NW EXPRESSWAY STE 1000E OKLAHOMA CITY OK 73112  
EASTLAND COUNTY APPR. DIST. PO BOX 914 EASTLAND TX 76448  
FIRST PREMIER BANK 601 S MINNESOTA AVE SIOUX FALLS SD 57104  
FRONTIER MOTOR CO 4601 N FIRST STREET ABILENE TX 79603  
FRONTIER MOTORS 4609 N FIRST ABILENE TX 79603  
GE CAPITAL RETAIL BANK C/O RECOVERY MGM SYS CORP 25 SE 2ND AVENUE SUITE 1120 MIAMI FL 33131  
GEMB CHEVRON ATTN: BANKRUPTCY PO BOX 103104 ROSWELL GA 30076  
GEMB JCP ATTN BANKRUPTCY DEPT PO BOX 103104 ROSWELL GA 30076  
HSBC PO BOX 35480 NEWARK NJ 07193  
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101  
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101  
JC PENNEY PO BOX 533 DALLAS TX 75221  
LACKS FURNITURE 1600 NE LOOP 410 STE 112 SAN ANTONIO TX 78209  
LACKS STORS INC ATTN BANKRUPTCY LEGAL DEPARTMENT PO BOX 33158 SAN ANTONIO TX 78265  
MACKIE WOLF ZIENTZ & MANN PC PACIFIC CENTER I SUITE 660 14180 N DALLAS PARKWAY DALLAS TX 75254  
MIDLAND CREDIT MANAGEMENT 8875 AERO DRIVE SUITE 200 SAN DIEGO CA 92123  
NATIONSTAR MORTGAGE 350 HIGHLAND DRIVE LEWISVILLE TX 75067  
OCWEN LOAN SERVICING LLC 1661 WORTHINGTON RD SUITE 100 WEST PALM BEACH FL 33409  
OCWEN LOAN SERVICING LLC ATTN BANKRUPTCY DEPARTMENT 1661 WORTHINGTON ROAD SUITE 100 WEST PALM BEACH FL 33409  
OCWEN LOAN SERVICING LLC ATTN CASHIERING DEPARTMENT PO BOX 24781 WEST PALM BEACH FL 33416  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
PREMIER BANKCARD /CHARTER PO BOX 2208 VACAVILLE CA 95696  
QUANTUM3 GROUP LLC SECOND ROUND LLP PO BOX 788 KIRKLAND WA 98083  
RADIOLOGY ASSOCIATES/RMA C/O W CENTRAL TX COLLECTION BUREAU PO BOX 2586 ABILENE TX 79601  
ROBERT BLAIN THAYER & CHERYL LOUISE THAYER PO BOX 32 RANGER TX 76470  
SECOND ROUND LP 4150 FRIEDRICH LN SUITE I AUSTIN TX 78744  
TARGET CREDIT CARD-TC C/O FINANCIAL & RETAIL SVCS MAIL STOP BT PO BOX 9475 MINNEAPOLIS MN 55440  
TARGET NATIONAL BANK C/O WEINSTEIN & RILEY PO BOX 3978 SEATTLE WA 98124  
TARGET NATIONAL BANK C/O WEINSTEIN & RILEY PS 2001 WESTERN AVENUE STE 400 SEATTLE WA 98121  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WEST CENTRAL TEXAS COLLECTION BUREAU PO BOX 2586 ABILENE TX 79604